

LAW OFFICES OF DAVID CARLEBACH, ESQ.

David Carlebach
55 Broadway
Suite 1902
New York, NY 10006
Tel: (212) 785-3041
Fax: (347) 472-0094
Email: david@carlebachlaw.com

Attorneys for Debtor/Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

	x
	: (State Court Index No. 162228/2014)
	:
Three Amigos SJL Rest., Inc.,	:
	:
	Plaintiff
	:
- against-	:
	:
Alphonse Hotel Corp.,	:
250 West 43 Owner LLC	:
250 West 43 Owner II LLC	:
250West 43 Owner III LLC, and	:
Athene Annuity and Life Company	:
	:
	Defendants
	:
	x

**NOTICE OF REMOVAL OF ACTION PURSUANT TO 28 U.S.C. § 1452
(BANKRUPTCY)**

TO THE CLERK OF THE SOUTHERN DISTRICT OF NEW YORK:

PLEASE TAKE NOTICE that Plaintiff, Three Amigos SJL Rest., Inc., pursuant to 28 U.S.C. §§ 1452, 1441 and 1446, hereby removes to this Court the above captioned action described below

1. On December 12, 2014, an action was commenced by Plaintiff in the Supreme Court of the State of New York, County of New York entitled *Three Amigos SJL Rest., Inc., v. Alphonse Hotel Corp., 250 West 43 Owner LLC, 250 West 43 Owner II LLC, 250West 43*

Owner III LLC, and Athene Annuity and Life Company, Index No.62228/2014. A copy of the Summons and Complaint is annexed hereto as Exhibit A.

2. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. 1334, as a core proceeding, and is one which may be removed to this Court by Plaintiff pursuant to the provisions of 28 U.S.C. 1452 and Rule 9027(e) of the Federal Rules of Bankruptcy Procedure, in that it is related to a Chapter 11 bankruptcy case in the United States Bankruptcy Court for the Southern District of New York, In re Three Amigos SJL Rest., Inc., Chapter 11 Case No. 16-13341(SMB).
3. This Notice of Removal is signed pursuant to the provisions of Rule 11 of the Federal Rules of Civil Procedure and Rule 9011 of the Federal Rules of Bankruptcy Procedure.

Dated: New York, New York
 December 1, 2016

THE LAW OFFICES OF DAVID CARLEBACH, ESQ.
Attorneys for the Debtor & Plaintiff

By /s/David Carlebach
55 Broadway, Suite 1902
New York, New York 10006
Tel: (212) 785-3041
Fax: 347-472-0094
Email: david@carlebachlaw.com